

BEFORE THE  
Federal Communications Commission  
WASHINGTON, D.C.

In the Matter of

Telecommunications Relay Services and  
Speech-to-Speech Services for Individuals  
with Hearing and Speech Disabilities

CG Docket No. 03-123

TO: The Commission

**SNAP TELECOMMUNICATIONS, INC.'S  
ANNUAL COMPLIANCE REPORT**

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May 8, 2008

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**SNAP TELECOMMUNICATIONS, INC.’S  
ANNUAL COMPLIANCE REPORT**

Snap Telecommunications, Inc. (“Snap”), by its attorneys, hereby submits its annual report demonstrating its continued compliance with the Commission’s mandatory minimum standards applicable to video relay service (“VRS”) providers.

**I. INTRODUCTION AND SUMMARY**

In this report, Snap demonstrates and certifies that it remains in compliance with all of the Commission’s applicable mandatory minimum standards for VRS providers. Snap takes its compliance obligations seriously and has committed substantial resources to ensuring its ongoing compliance with these minimum standards and with all applicable Commission rules.

Snap was the first company to apply for certification as a VRS provider<sup>1</sup> under the Commission’s new federal procedures.<sup>2</sup> Snap was also the first to be certified as a VRS provider

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<sup>1</sup> See Application of Snap Telecommunications, Inc. for Certification as a Video Relay Services Provider, CG Docket No. 03-123 (filed Jan. 25, 2006) (“*Snap VRS Application*”). Currently Snap offers only VRS under the brand name Snap!VRS. See <http://www.snapvrs.com>. For a description of Snap Telecommunications, Inc., its parent Aequus Technologies Corp., and affiliates, see *Snap VRS Application* at 3-5. As explained therein, Aequus and Snap are fully committed to serving the needs of the disability community, and, indeed, Aequus’ corporate philosophy in its publishing and other businesses is that accessibility is good for everyone. Accordingly, Aequus is leading the transition from “accessibility as an afterthought” to “built-in accessibility” by creating solutions that both solve accessibility problems for people with disabilities and offer viable new listening, viewing, and communication styles for everyone. For more information about Aequus, visit <http://www.aequustechnologies.com>.

<sup>2</sup> See *In Re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Order on Reconsideration, 20 FCC Rcd 20577 (2005).

under these new federal procedures.<sup>3</sup> In its Order certifying Snap, the Commission required Snap (as it requires all VRS providers under its new VRS certification procedures) to file an annual report with the Commission evidencing that Snap is in compliance with 47 C.F.R.

§ 64.604.<sup>4</sup> The instant report, which is filed pursuant to this Commission requirement, demonstrates that Snap is in compliance with the Commission's mandatory minimum standards applicable to all VRS providers under 47 C.F.R. § 64.604. Specifically, this report does the following:

- (1) incorporates by reference: (a) Snap's *VRS Application* for certification filed with the Commission on January 25, 2006, which explained in detail how Snap would comply with each of the applicable TRS/VRS rules, (b) Snap's September 4, 2007 letter to the Commission detailing how Snap's Ojo video phone is fully interoperable with other VRS networks and does not block or degrade any Ojo user from placing calls to another VRS provider,<sup>5</sup> and (c) Snap's 2008 Annual Report on Waived Standards filed with the Commission on April 16, 2008;<sup>6</sup>
- (2) certifies that the statements of compliance made in its *VRS Application*, *Ojo Interoperability Letter*, and *2008 Waiver Report* are still true and accurate for Snap's operations;
- (3) describes below anything new or different with Snap's operations since the filing of the foregoing compliance documents and explains how such changes are compliant with the Commission's mandatory minimum standards; and
- (4) attaches a declaration by Snap's CEO, Richard L. Schatzberg, attesting to the truth and accuracy of the statements in this report.

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<sup>3</sup> See *Notice of Certification of Snap Telecommunications, Inc. as a Provider of Video Relay Service (VRS) Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, Public Notice, 21 FCC Rcd 5511 (2006) ("*Snap Certification Order*"). See also *Notice of Snap Telecommunications as a Provider of Video Relay Service (VRS) Eligible for Compensation from the Interstate Telecommunications Relay Service (TRS) Fund*, Public Notice Erratum, CG Dkt. No. 03-123 (rel. May 9, 2006) (clarifying that Snap's VRS certification was conditioned on its compliance with the Commission's Declaratory Ruling on VRS interoperability that was adopted on May 3, 2006).

<sup>4</sup> See *Snap Certification Order* n.10. See also 47 C.F.R. § 64.605(g) ("VRS and IP Relay providers certified under this section shall file with the Commission, on an annual basis, a report providing evidence that they are in compliance with § 64.604.").

<sup>5</sup> See Letter from Francis M. Buono, Willkie, Farr & Gallagher LLP, to Marlene H. Dortch, Secretary, Federal Communications Commission, CG Docket No. 03-123 (filed Sept. 4, 2007) ("*Ojo Interoperability Letter*").

<sup>6</sup> See Snap Telecommunications, Inc.'s Annual Report on Progress Towards Meeting Waived Requirements, CG Docket No. 03-123 (filed Apr. 16, 2008) ("*2008 Waiver Report*").

With respect to the third item above, Snap:

- (1) provides detail on its compliance with the Commission's new speed dialing requirement for VRS providers;<sup>7</sup>
- (2) provides detail on its compliance with the Commission's new E911 requirement for VRS providers;<sup>8</sup>
- (3) explains how its recent interactions with WorldGate, its key supplier and network partner, and the temporary unavailability of the Ojo earlier this year, did not impact Snap's compliance with the rules;
- (4) explains how it has implemented extensive documentation and training manuals for its employees to ensure compliance with both Commission and NECA rules; and
- (5) notes a change in its Compliance Officer and Agent for Complaints.

Finally, Snap reiterates its commitment to ensure continued compliance with the applicable requirements of 47 C.F.R. § 64.604 going forward.

## **II. SNAP CONTINUES TO MEET OR EXCEED THE COMMISSION'S MANDATORY MINIMUM STANDARDS FOR VRS PROVIDERS**

As noted, the Snap's *VRS Application* explained in detail (particularly in Exhibit D) how Snap would comply with each of the mandatory minimum federal standards applicable to VRS providers. Snap has further explained how its operations are compliant with the mandatory minimum standards in both its *Ojo Interoperability Letter* and *2008 Waiver Report*.

In the year since its launch, Snap has delivered on its commitments to the Commission and relay consumers to provide competitive, high-quality, innovative, and functionally equivalent VRS offerings to thousands of deaf, hard of hearing, and speech-impaired individuals. We have increased the number of call centers we operate from one to four and continue to

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<sup>7</sup> See *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 22 FCC Rcd 21869 (2007) ("2007 Waiver Order").

<sup>8</sup> See *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 23 FCC Rcd 5255 (2008) ("VRS E911 Order").

expand the number of users we serve on a daily and monthly basis, while at the same time maintaining a fully interoperable network and a speed-of-answer response time that is well below the Commission's required threshold.

In preparing this report, Snap asked various key personnel to review the above filings for their continued accuracy in light of Snap's current operations. Based on these reviews, Snap hereby incorporates by reference its *VRS Application*, the *Ojo Interoperability Letter*, and the *2008 Waiver Report*, and certifies that the statements of compliance made therein are still true and accurate for Snap's current operations, as updated in a few ways by the discussion in the following section.

### **III. DESCRIPTION OF CHANGES IN SNAP'S OPERATIONS AND HOW THEY COMPLY WITH THE COMMISSION'S RULES**

#### **A. Speed Dialing**

In the *2007 Waiver Order*, the Commission announced that the previously granted waiver for VRS providers to maintain a speed dialing function would expire on January 1, 2008.<sup>9</sup> However, on January 8, 2008, the Commission granted a temporary waiver of the speed dialing requirement to both Snap and Verizon until April 30, 2008.<sup>10</sup> In its recent *2008 Waiver Report*, Snap announced that it had completed development of its speed dialing solution and was in the final stages of testing to comply with the requirement by the expiration date.<sup>11</sup> Snap is pleased to announce that its speed dialing solution has been deployed, is fully operational, and provides for the seamless pass-through of a dialed number to a Communications Assistant ("CA"). As Snap explained in an April 28, 2008 press release, its speed dialing solution allows for both the

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<sup>9</sup> See *2007 Waiver Order* ¶ 21.

<sup>10</sup> See *In re Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 23 FCC Rcd 124 (2008).

<sup>11</sup> See *2008 Waiver Report* at 11-12.

immediate display of a dialed-in number to a CA as soon as a call is connected (thereby eliminating the need for a VRS user to sign the number to the CA) and for customers to store entries for frequently called parties in the Ojo phonebook.<sup>12</sup> Snap has also produced an informative video in both ASL and English that provides users with step-by-step instructions for how to use the new speed dialing function. The solution has already been extremely well-received and provides customers with a more convenient VRS experience.<sup>13</sup>

## **B. Emergency Call Handling**

On March 19, 2008, the Commission issued an Order in which it adopted emergency call handling requirements for VRS providers,<sup>14</sup> thereby ending a previously granted waiver for this requirement. The Order was published in the Federal Register on April 21, 2008 and becomes effective on May 21, 2008. In its *2008 Waiver Report*, Snap announced that it was in the final stages of testing its E911 solution.<sup>15</sup> Snap is pleased to report that it has completed the testing of its E911 solution and has implemented the new service, which is fully compliant with the Commission's *VRS E911 Order*, to its customers.<sup>16</sup> To ensure that customers have no doubt about the nature of an emergency call, Snap has developed and implemented the following screen that appears to the customer after initiating an emergency call:<sup>17</sup>

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<sup>12</sup> See Press Release, Snap Telecommunications, Inc., *Snap!VRS Launches New VRS Speed Dial Feature* (Apr. 28, 2008), at [http://www.snapvrs.com/about\\_us/press/article/?id=18](http://www.snapvrs.com/about_us/press/article/?id=18).

<sup>13</sup> See, e.g., Alldeaf.com, *Ojo Video Phone (Snap!VRS)*, at <http://www.alldeaf.com/deaf-products-technologies/47858-ojo-videophone-snap-vrs-3.html> (“[Snap has a] phonebook and speed dial which is very useful for me. I store many phone #s into my phone book in my Ojo, also with Ojo phone when you need to call snap!vrs, all you need to press one button which is "Select" and they answer within less 3-5 seconds and you will be talking to other end person within 10 seconds. Pretty fast 😊”).

<sup>14</sup> See generally *VRS E911 Order*.

<sup>15</sup> See *2008 Waiver Report* at 10-11.

<sup>16</sup> For additional details on Snap's E911 solution, Snap refers the Commission to its *2008 Waiver Report*, at pages 10-11.

<sup>17</sup> Snap CAs are also alerted to incoming emergency calls through the use of a similar red screen and notification.



At the same time, consistent with Commission requirements, Snap continues to include on its web site (see <http://www.snapvrs.com/legal/911/>), and in promotional materials directed to consumers, an advisory explaining that emergency calls made via Snap!VRS may in some ways be limited by comparison to traditional E911 service. Snap will also soon issue a press release and ASL video for consumers describing its E911 process.

### **C. Aequus/WorldGate Agreement**

On January 30, 2008, WorldGate, Snap's video phone supplier and network partner, shut off its systems, temporarily causing Snap's Ojo video phones to stop functioning. Snap immediately informed the Commission of the WorldGate/Ojo outage and continued to service customers 24/7 throughout the shutdown through the use of [call.snapvrs.com](http://call.snapvrs.com), and by processing all VRS calls from customers using the H.323 protocol on their Ojos and/or other video phones (e.g., VP100s, VP200s, and D-Links). Snap's system remained fully interoperable and fully compliant with the Commission's rules during this time, and Snap worked expeditiously with WorldGate to get the Ojo back online. After getting back online in March, the Ojo and Snap's network continued to function seamlessly.

On April 1, 2008, Aequus Technologies Corp., Snap's parent company, and WorldGate reached an accord and signed a long-term agreement whereby: (1) Aequus agreed to make payments to WorldGate to provide support and training to allow Snap to build and operate its

own data center; (2) Snap agreed to ongoing purchases of Ojo video phones; and (3) both companies agreed that Aequus could contract with WorldGate on future development projects.<sup>18</sup> With this new agreement in place, Snap will have continued availability of Ojo video phones, and WorldGate will have resources by which to continue providing support and to expand its operations. Once completed, Snap's new data center will ensure that Ojo customers will continue to have access to Snap!VRS independent of any future circumstances of WorldGate.

#### **D. Extensive Documentation to Ensure Compliance**

As Snap has explained from the start, it is focused on adequately supplying its staff with all the training, documentation, and guidelines that are necessary for complying with both Commission and NECA rules. Snap maintains a comprehensive VRS Regulatory Compliance Manual that contains a description of all applicable Commission and NECA VRS requirements, a calendar of important Commission and NECA deadlines for filing obligations, and all relevant forms to aid in the filing process. In addition, Snap CAs are provided with a detailed and regularly-updated Video Interpreter Handbook that clearly explains the policies and procedures governing Snap's VRS operations to ensure compliance with VRS requirements.

Moreover, all of Snap's CAs are required to sign a confidentiality agreement prior to training whereby they certify that they will not allow any information regarding customers who use the service or conversation content to be shared or discussed outside of the call center.

Snap also accurately documents consumer complaints and files an annual complaint log summary with the Commission to comply with Section 64.604(c)(1) of the rules.<sup>19</sup>

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<sup>18</sup> See Press Release, WorldGate Communications, Inc., *WorldGate and Aequus Technologies Reach Accord for Long Term Relationship*, Business Wire (Apr. 1, 2008), at [http://www.businesswire.com/portal/site/google/?ndmViewId=news\\_view&newsId=20080401005910&newsLang=en](http://www.businesswire.com/portal/site/google/?ndmViewId=news_view&newsId=20080401005910&newsLang=en).

<sup>19</sup> See 47 C.F.R. ¶ 64.604(c)(1). See also Snap Telecommunications, Inc. Annual Complaint Log Summary, CG Docket 03-123 (filed July 2, 2007).

Finally, Snap has implemented procedures and controls to document any changes made to its formula and process for determining which VRS calls are eligible for reimbursement from the TRS fund.

Snap will continue to maintain and update all of these important documents to ensure ongoing compliance with Commission and NECA rules and to highlight changes in our processes and procedures.

**E. Change in Contact Information for Snap's Compliance Officer and Agent for Complaints**

Currently, Karl Kosiorek is listed in the Commission's records as Snap's point of contact for complaints and as its Compliance Officer. While Mr. Kosiorek continues to be a valuable member of the Snap operations team, Snap hereby notifies the Commission that Jeff Rosen, Snap's General Counsel and Vice President of Government Affairs, will henceforth assume these two roles for the company. Thus, Snap asks that the Commission update its records to reflect this change, including on its TRS Provider "Point of Contact" web page.<sup>20</sup> Mr. Rosen's contact information is as follows:

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General Counsel and Vice President for Government Affairs  
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1 Blue Hill Plaza  
Pearl River, NY 10965  
Email: [jrosen@snapvrs.com](mailto:jrosen@snapvrs.com)  
(845) 652-7107 (Ojo)  
<http://www.snapvrs.com>

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<sup>20</sup> See FCC Consumer and Governmental Affairs Bureau, Relay Service Providers Contact List, at [http://www.fcc.gov/cgb/dro/trs\\_providers.html](http://www.fcc.gov/cgb/dro/trs_providers.html) (last accessed May 6, 2008) (currently listing Karl Kosiorek as Snap's point of contact).

#### IV. CONCLUSION

As explained above and as certified by the attached declaration of Snap's CEO, Snap is in compliance with all applicable VRS mandatory minimum standards under 47 C.F.R. § 64.604. Equally important, Snap is firmly committed to remain in compliance with these mandatory minimum standards and to pursue an unwavering course of innovation and enhanced service offerings for the disability community.

Respectfully submitted,

/s/ Francis M. Buono

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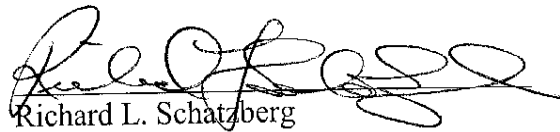
Its Attorneys

May 8, 2008

\* admitted to practice in New York only.

**Declaration of Richard L. Schatzberg**

I, Richard L. Schatzberg, Chief Executive Officer of Snap Telecommunications, Inc. ("Snap"), with personal knowledge of the representations provided in the attached Annual Compliance Report ("Report") of Snap and pursuant to 47 C.F.R. § 1.16, declare under penalty of perjury that the statements in the Report are true and correct.



Richard L. Schatzberg  
Chief Executive Officer  
Snap Telecommunications, Inc.

Date: May 7, 2008